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§ 161.22 Benefits for foreign affiliates.

(a) *Sponsored NATO and PFP personnel in the United States.* Active duty officer and enlisted personnel of NATO and PFP countries serving in the

United States under the sponsorship or invitation of the DoD or a Military Service and their accompanying dependents living in the sponsor's U.S. household are eligible for benefits as shown in Table 46 to part 161.

TABLE 46 TO PART 161—BENEFITS FOR SPONSORED NATO AND PFP PERSONNEL AND ACCOMPANYING DEPENDENTS IN THE UNITED STATES

	CHC	DC	C	MWR	E
Self	No	1	Yes	Yes	Yes.
Lawful Spouse	2	1	Yes	Yes	Yes.
Children, Unmarried, Under 21 Years:					
Legitimate, adopt- ed, stepchild Ille- gitimate child of member, or Ille- gitimate child of spouse.	2, 3	1, 3	3	3	3.
Ward	No	No	3, 4	3, 4	3, 4.
Children, Unmarried, 21 Years and Over.	2, 3, 5	1, 3, 5	1, 5	1, 5	1, 5.
Father, Mother, Father- in-Law, Mother-in- Law, Stepparent, or Parent by Adoption.	No	No	3	3	3.

Notes:

1. Yes, for outpatient care no charge and for inpatient care at full reimbursable rate.
2. Yes, for outpatient care only.
3. Yes, if residing in the household of the foreign service member in the United States.
4. Yes, if, for determination of dependency made on or after July 1, 1994, placed in the legal custody of the member as a result of a court of competent jurisdiction in the United States (or possession of the United States) for a period of at least 12 consecutive months.
5. Yes, if the child:
 - a. Has not attained the age of 23, is enrolled in a full-time course of study at an institution of higher learning approved by the administering Secretary, and is dependent on the member for over 50 percent of the child's support; or
 - b. Is incapable of self-support because of a mental or physical incapacity that existed before age 21, or occurred before the age of 23 while a full-time student, while a dependent of a member, and is dependent on the member for over 50 percent of the child's support.

(b) *Sponsored non-NATO personnel in the United States.* Active duty officer and enlisted personnel of non-NATO countries serving in the United States under DoD or Service sponsorship or

invitation and their dependents, living in the non-NATO personnel's U.S. household, are eligible for benefits as shown in Table 47 to part 161.

TABLE 47 TO PART 161—BENEFITS FOR SPONSORED NON-NATO PERSONNEL AND ACCOMPANYING DEPENDENTS IN THE UNITED STATES

	CHC	DC	C	MWR	E
Self	No	1	Yes	Yes	Yes.
Lawful Spouse	No	1	Yes	Yes	Yes.
Children, Unmarried, Under 21 Years:					
Legitimate, adopt- ed, stepchild, il- legitimate child of member, or il- legitimate child of spouse.	No	1, 3	2	2	2.
Ward	No	No	2, 3	2, 3	2, 3.
Children, Unmarried, 21 Years and Over.	No	1, 2, 4	2, 4	2, 4	2, 4.

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TABLE 47 TO PART 161—BENEFITS FOR SPONSORED NON-NATO PERSONNEL AND ACCOMPANYING DEPENDENTS IN THE UNITED STATES—Continued

	CHC	DC	C	MWR	E
Father, Mother, Father-in-Law, Mother-in-Law, Stepparent, or Parent by Adoption.	No	No	2	2	2.

Notes:

1. Yes, for outpatient care only on a reimbursable basis.
2. Yes, if residing in the household of the foreign service member in the United States.
3. Yes, if, for determination of dependency made on or after July 1, 1994, placed in the legal custody of the member as a result of a court of competent jurisdiction in the United States (or possession of the United States) for a period of at least 12 consecutive months.
4. Yes, if the child:
 - a. Has not attained the age of 23, is enrolled in a full-time course of study at an institution of higher learning approved by the administering Secretary, and is dependent on the member for over 50 percent of the child's support; or
 - b. Is incapable of self-support because of a mental or physical incapacity that existed before age 21, or occurred before the age of 23 while a full-time student, while a dependent of a member, and is dependent on the member for over 50 percent of the child's support.

(c) *Non-sponsored NATO personnel in the United States.* Active duty officer and enlisted personnel of NATO countries who, in connection with their official NATO duties, are stationed in the United States but are not under DoD or

Service sponsorship and their accompanying dependents living in the non-sponsored NATO personnel's U.S. household are eligible for benefits as shown in Table 48 to part 161.

TABLE 48 TO PART 161—BENEFITS FOR NON-SPONSORED NATO AND PFP PERSONNEL IN THE UNITED STATES AND ACCOMPANYING DEPENDENTS

	CHC	DC	C	MWR	E
Self	No	1	No	Yes	Yes.
Lawful Spouse	2	1	No	No	No.
Children, Unmarried, Under 21 Years: Legitimate, adopted, stepchild, illegitimate child of member, or illegitimate child of spouse.	2, 3	1, 3	No	No	No.
Ward	No	No	No	No	No.
Children, Unmarried, 21 Years and Over.	2, 3, 4	1, 3, 4	No	No	No.
Father, Mother, Father-in-Law, Mother-in-Law, Stepparent, or Parent by Adoption.	No	No	No	No	No.

Notes:

1. Yes, for outpatient care no charge and for inpatient care at full reimbursable rate.
2. Yes, for outpatient care only.
3. Yes, if residing in the household of the foreign service member in the United States.
4. Yes, if the child:
 - a. Has not attained the age of 23, is enrolled in a full-time course of study at an institution of higher learning approved by the administering Secretary, and is dependent on the member for over 50 percent of the child's support; or
 - b. Is incapable of self-support because of a mental or physical incapacity that existed before age 21, or occurred before the age of 23 while a full-time student, while a dependent of a member, and is dependent on the member for over 50 percent of the child's support.

(d) *NATO and non-NATO personnel OCONUS.* Active duty officer and enlisted personnel of NATO and non-NATO countries serving OCONUS and outside their own country under DoD or Service sponsorship or invitation and their accompanying dependents living with the sponsor are eligible for

benefits as shown in Table 49 to part 161. These benefits may be extended to this category of personnel not under DoD or Service sponsorship or invitation when it is determined by the major overseas commander that the granting of such privileges is in the best interests of the United States and

such personnel are connected with, or their activities are related to, the performance of functions of the Service establishment.

TABLE 49 TO PART 161—BENEFITS FOR NATO, PFP, AND NON-NATO PERSONNEL OCONUS AND ACCOMPANYING DEPENDENTS

	CHC	DC	C	MWR	E
Self	No	1	Yes	Yes	Yes.
Lawful Spouse	No	1	Yes	Yes	Yes.
Children, Unmarried, Under 21 Years:					
Legitimate, adopt- ed, stepchild, il- legitimate child of member, or il- legitimate child of spouse.	No	1, 2	2	2	2.
Ward	No	No	2, 3	2, 3	2, 3.
Children, Unmarried, 21 Years and Over.	No	1, 2, 3	2, 4	2, 4	2, 4.
Father, Mother, Father- in-Law, Mother-in- Law, Stepparent, or Parent by Adoption.	No	No	2	2	2.

Notes:

1. Yes, for outpatient care only on a reimbursable basis.
2. Yes, if residing in the household of the foreign service member and dependent on over 50 percent support.
3. Yes, if, for determination of dependency made on or after July 1, 1994, placed in the legal custody of the member as a result of a court of competent jurisdiction in the United States (or possession of the United States) for a period of at least 12 consecutive months.
4. Yes, if the child:
 - a. Has not attained the age of 23, is enrolled in a full-time course of study at an institution of higher learning approved by the administering Secretary, and is dependent on the member for over 50 percent of the child's support; or
 - b. Is incapable of self-support because of a mental or physical incapacity that existed before age 21, or occurred before the age of 23 while a full-time student, while a dependent of a member, and is dependent on the member for over 50 percent of the child's support

(e) *Korean Augmentation to the U.S. Army (KATUSA).* Military service is mandatory for all Republic of Korea (ROK) male citizens. Those male citizens who speak English often become KATUSA serving with the U.S. Army forces in the ROK. This arrangement is provided for in the status of forces

agreement between the United States and ROK. The KATUSAs are identified in DEERS for the purpose of issuing CACs for access to the U.S. installations in the ROK. No other benefits are provided as shown in Table 50 to part 161.

TABLE 50 TO PART 161—BENEFITS FOR KATUSA

	CHC	DC	C	MWR	E
Self	No	No	No	No	No.

(f) *Foreign national civilians.* Civilian employees of a foreign government who are assigned a support role with the DoD or Military Services or attending school at one of the DoD or uniformed services advanced schools may be identified in DEERS for the purpose of issuing a CAC. The foreign national ci-

vilian must be sponsored by the DoD or a Military Service regardless of whether the foreign national civilian is from a NATO, PFP, or non-NATO country. There are no benefits assigned and no dependent benefits are extended as shown in Table 51 to part 161.

TABLE 51 TO PART 161—BENEFITS FOR FOREIGN NATIONAL CIVILIANS

	CHC	DC	C	MWR	E
Self	No	No	No	No	No.

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(g) *Foreign National Contractors.* Contractor personnel, contracted to a foreign government, who are assigned a support role with the DoD or Military Services or as a representative of a foreign government at one of the DoD or uniformed services advanced schools may be identified in DEERS for the purpose of issuing a CAC for physical

and logical access requirements. The foreign national contractor must be sponsored by the DoD or a Military Service regardless of whether the foreign national civilian is from a NATO, PFP, or a non-NATO country. There are no benefits assigned and no dependent benefits are extended as shown in Table 52 to part 161.

TABLE 52 TO PART 161—BENEFITS FOR FOREIGN NATIONAL CONTRACTORS

	CHC	DC	C	MWR	E
Self	No	No	No	No	No.

(h) *Personnel Covered by a Reciprocal Health Care Agreement (RHCA) in the United States.* For countries that have bilateral RHCAs with the DoD, RHCAs provide that a limited number of foreign force members and their dependents in the United States may be provided inpatient medical care at MTFs on a space-available basis without cost

(except for a subsistence charge, if it applies). Provision of such care is contingent on comparable care being made available to a comparable number of U.S. military personnel and their dependents in the foreign country. Benefits are provided as shown in Table 53 to part 161.

TABLE 53 TO PART 161—BENEFITS FOR FOREIGN FORCE MEMBERS AND ELIGIBLE DEPENDENTS RESIDING IN THE UNITED STATES WHO ARE COVERED BY AN RHCA

	CHC	DC	C	MWR	E
Self	No	1	5	6	7.
Lawful Spouse	No	1	5	6	7.
Children, Unmarried, Under 21 Years:					
Legitimate, adopted, stepchild, illegitimate child of member, or illegitimate child of spouse.	No	1, 2	2	2	2.
Ward	No	No	2, 3	2, 3	2, 3.
Children, Unmarried, 21 Years and Over.	No	1, 2, 4	2, 4	2, 4	2, 4.
Father, Mother, Father-in-Law, Mother-in-Law, Stepparent, or Parent by Adoption.	No	No	2	2	2.

Notes:

1. As determined by the appropriate RHCA.
2. Yes, if residing in the household of the foreign force member in the United States.
3. Yes, if, for determination of dependency made on or after July 1, 1994, placed in the legal custody of the member as a result of a court of competent jurisdiction in the United States (or possession of the United States) for a period of at least 12 consecutive months.
4. Yes, if the child:
 - a. Has not attained the age of 23, is enrolled in a full-time course of study at an institution of higher learning approved by the administering Secretary, and is dependent on the member for over 50 percent of the child's support; or
 - b. Is incapable of self-support because of a mental or physical incapacity that existed before age 21, or occurred before the age of 23 while a full-time student, while a dependent of a member, and is dependent on the member for over 50 percent of the child's support.
5. Yes, if authorized by DoD Instruction 1330.17.
6. Yes, if authorized by DoD Instruction 1015.10.
7. Yes, if authorized by DoD Instruction 1330.21.